

10 13 NOV 2005

33042

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of VARRIALE

Application No. 10/533,042

Examiner:

Filed: April 28, 2005

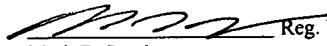
Group Art Unit:

For: TIGHT CONTROL DEVICE

COMMUNICATION

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 11-14-05.

 Reg. No. 40,764  
Mark D. Passler

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

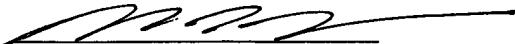
Sir:

In the above-identified application, Applicant has received a Notification of Missing Requirements Under 35 U.S.C 371, mailed September 12, 2005, indicating that the oath was missing and additional claim fees in the amount of \$230.00 are due. Applicant hereby submits the Declaration for the above-identified application signed by the inventor. Authorization is given to charge \$65.00 for the surcharge required under 37 C.F.R. §1.492(e) to Deposit Account No. 50-0951. Applicant notes that the claims filed with the application were incorrectly labeled as being a copy of the application as filed and should have been a preliminary amendment. Applicant respectfully requests examination on the merits and that the claim fees be based on the claims filed on April 28, 2005 and in the attached preliminary amendment. However, should the Commissioner disagree, Applicant authorizes any underpayment to be charged to Deposit Account No. 50-0951. Applicant has included a copy of the Notification of Missing Requirements Under 35 U.S.C 371 dated September 12, 2005.

11/28/2005 LLANDGRA 00000039 500951 10533042  
Sale Ref: 00000063 DAB: 500951 10533042  
01 FC:2617 65.00 DA

Respectfully submitted,

Date: 11-14-05

  
Mark D. Passler  
Registration No. 40,764  
Akerman Senterfitt  
222 Lakeview Avenue, Suite 400  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Telephone: (561) 653-5000

Docket No. 9526-54

100 32142  
IAPTO Rec'd PCT/PTO 18 NOV 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of VARRIALE

Application No. 10/533,042

Examiner:

Filed: April 28, 2005

Group Art Unit:

For: TIGHT CONTROL DEVICE

TRANSMITTAL LETTER

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 11-14-05.

 Reg. No. 40,764  
Mark D. Passler

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

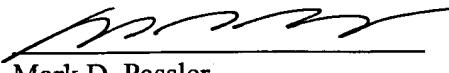
Please find enclosed for filing:

- Communication
- Copy of Notification of Missing Requirements Under 35 U.S.C 371
- Signed Declaration and Power of Attorney
- Preliminary Amendment
- Return receipt postcard

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.

Respectfully submitted,

Date: 11-14-05



Mark D. Passler  
Registration No. 40,764  
Akerman Senterfitt  
222 Lakeview Avenue, Suite 400  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Telephone: (561) 653-5000

Docket No. 9526-54

The PTO did not receive the following  
listed item(s). 

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of VARRIALE**

Application No. 10/533,042

Examiner:

Filed: April 28, 2005

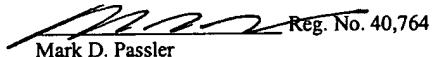
Group Art Unit:

For: **TIGHT CONTROL DEVICE**

**TRANSMITTAL LETTER**

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 11-14-05.

 Reg. No. 40,764  
Mark D. Passler

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find enclosed for filing:

- Communication
- Copy of Notification of Missing Requirements Under 35 U.S.C 371
- Signed Declaration and Power of Attorney
- Preliminary Amendment
- Return receipt postcard

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.

Respectfully submitted,

Date: 11-14-05

  
Mark D. Passler  
Registration No. 40,764  
Akerman Senterfitt  
222 Lakeview Avenue, Suite 400  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Telephone: (561) 653-5000

Docket No. 9526-54

PCT/US



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,042	Vincenzo VARRIALE	9526-54

INTERNATIONAL APPLICATION NO.

PCT/EP03/12173

I.A. FILING DATE	PRIORITY DATE
	10/31/2003

30448  
 AKERMAN SENTERFITT  
 P.O. BOX 3188  
 WEST PALM BEACH, FL 33402-3188

CONFIRMATION NO. 5918  
 371 FORMALITIES LETTER



\*OC000000016984080\*

Date Mailed: 09/12/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/28/2005
- Copy of the International Search Report filed on 04/28/2005
- U.S. Basic National Fees filed on 04/28/2005
- Priority Documents filed on 04/28/2005

RECEIVED  
DOCKETING

SEP 15 2005

AKERMAN SENTERFITT, P.A.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$230 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$230 for a Small Entity:

- Total additional claim fee(s) for this application is \$ 230
  - \$50 for 8 total claims over 20.

The PTO did not receive the following listed item(s) As it is

- \$180 for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

---

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

---

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,042	PCT/EP03/12173	9526-54

FORM PCT/DO/EO/905 (371 Formalities Notice)